

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

EUGENE OKECHUKWU AGINA,
Plaintiff,

V.

C.A. No. 05-10402-JLT

UNITED STATES OF AMERICA,
MASSACHUSETTS MEMORIAL CENTER,
DR. JEROME PHILBIN, DR. AMBER
RANDALL, DR. THOMAS VARNEY,
DR. R. NEWLAND, AND DR. C. HOWARD,
Defendants.

MEMORANDUM AND ORDER FOR DISMISSAL

For the reasons stated below, this action is dismissed.

FACTS

On February 22, 2005, Plaintiff Eugene Okechukwu Agina, an immigration detainee in custody at the Suffolk County Jail in Boston, MA, filed his self prepared civil action stemming from alleged medical malpractice of various doctors in connection with medical treatment. On March 21, 2005, this Court entered a Memorandum and Order (#4) directing the Plaintiff to either pay the \$250 filing fee or file a Application to Proceed in forma pauperis, and also, to show cause why this action should not be dismissed for the reasons stated in that Memorandum and Order. Plaintiff was given forty-two (42) days to comply with the Memorandum and Order.

DISCUSSION

To date, Plaintiff has failed to file a response to the Memorandum and Order, and the time period for doing so has expired.

Accordingly, for the reasons set forth in the March 21, 2005 Memorandum and Order

(#4), and for Plaintiff's failure to show cause why this action should not be dismissed, it is hereby ORDERED that the above captioned matter is dismissed in its entirety.

SO ORDERED.

Dated: May 17, 2005

/s/ Joseph L. Tauro
JOSEPH L. TAURO
UNITED STATES DISTRICT JUDGE